Town of "XX"

Zoning Bylaw No. ___

Town Model

Draft Document

Note: ***This urban model presents zoning district regulations that may used as a basis for preparing a zoning bylaw for a town with any necessary modifications, alterations, or expansion suitable for a community. With modification and any necessary expansion, this model could also serve as basis for developing a zoning bylaw for a small city. The zoning bylaw would be the principal tool for implementation of a basic planning statement as required by The Planning and Development Act, 1983.***

All statements in this document are meant to be samples that have been common to many towns. However the statements must each be examined for relevance to a particular town and each municipality using this model may wish to add to, delete, or significantly change any statement. The document is intended as a sample guide only. The municipality should have their final bylaw reviewed by a solicitor. It is recommended that a professional planner licensed under The Community Planning Profession Act be employed in the preparation and adoption of a basic planning statement and zoning bylaw.

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1. INTRODUCTION

Under the authority granted by *The Planning and Development Act, 1983*, the Council of the Town of "XX", in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1.1 Title

This bylaw shall be known and may be cited as the "Zoning Bylaw" of the Town of "XX".

1.2 Purpose

The purpose of this bylaw is to regulate development in the Town of "XX" to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the municipality.

1.3 Scope

Development shall hereafter be permitted within the limits of the Town of "XX" only when in conformity with the provisions of this bylaw.

1.4 Severability

If any section, clause, or provision of this bylaw, including anything shown on the Zoning Map, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the bylaw as a whole or any part thereof, other than the section, clause or provision, including anything shown on the Zoning Map, so declared to be invalid.

2. DEFINITIONS

Wherever in this bylaw the following words or terms are used, they shall, unless the context otherwise provides, be held to have the following meaning:

Accessory Use - a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Administrator - the Administrator of the Town of "XX".

Alteration - any structural change or addition made to any building.

Apartment - a building divided into three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as the permanent home or residence as distinct from a hotel or rooming house.

Approved - approved by the Council of the Town of "XX".

Awning - a canvas material stretched over a frame, plastic, vinyl or lightweight metal shelter projecting from a wall over a window or entrance to a building.

Bed and Breakfast Lodging - a dwelling unit, licensed as a tourist home under *The Public Accommodation Regulations,* in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

Building - a structure constructed or placed on, in or over land but does not include a public highway.

Building Accessory - a subordinate detached building appurtenant to a principal building or principal use and located on the same lot, the purpose of which is to provide better and more convenient enjoyment of the principal building or principal use.

Building Bylaw - a bylaw of the Town of "XX" regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

Building Height - the vertical distance of a building measured from grade level to the highest point of the roof.

Building Permit - a permit, issued under the Building Bylaw of the Town of "XX", authorizing the construction of all or part of a building or structure.

Building, Principal - a building in which is conducted the main or primary use of the lot on which said building is situated.

Building line, established - the average distance from the street line to the main wall of existing buildings on any side of any block where more than half the frontage has been built.

Canopy - a non-retractable, permanent roof-like structure extending from part or all of a building constructed of durable material.

Club - a service club or private club which involves recreational, social, cultural or athletic activities.

Commercial Entertainment Establishment - a recreation or amusement facility operated as a business and open to the general public for a fee such as an amusement arcade, bowling alleys, theatres, billiard parlour, and bingo hall licensed by the Saskatchewan Liquor and Gaming Authority.

Community Centre - a facility operated by the municipality or a non-profit organization for meetings, recreational activities and similar uses and open to the general public.

Council - the Council of the Town of "XX".

Day Care Centre - a facility which provides for the non parental care of pre-school age children, and includes, but is not limited to:

(a) a child care centre or day care centre which is required to be licensed by the Province of Saskatchewan pursuant to *The Child Care Act*; or
(b) a nursery school for pre-school children.

Development - the carrying out of any building, engineering, mining or other operations, in, on, or over land, or the making of any material change in the use of any building or land.

Development Officer - the officer of the Town of "XX" appointed pursuant to Section 3.1 to administer this bylaw.

Development Permit - a permit, issued by the Council of the Town of "XX" or its designate that authorizes development but does not include a building permit.

Discretionary Use - a use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in this bylaw.

Dwelling Unit - one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons.

Dwelling Unit Group - two or more single detached or semi-detached or multiple unit dwellings located on a single lot.

Dwelling, Single Detached - a detached building consisting of one dwelling unit as herein defined; and occupied or intended to be occupied as a permanent home or residence, but shall not include a factory built home as herein defined.

Dwelling, Duplex - a building divided horizontally into two dwelling units as herein defined.

Dwelling, Multiple Unit - a building divided into three or more dwelling units as herein defined and shall include, amongst others, town or row houses and apartments as distinct from a rooming house, hotel or motel.

Dwelling, Semi-Detached - two dwelling units side by side in one building unit with a common party wall which separates, without opening the two dwelling units throughout the entire structure.

Family Child Care Home - a child care facility located in a building where the principal use is a dwelling unit, and which is licensed by the Province of Saskatchewan pursuant to *The Child Care Act*.

Floor Area - the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, sunroom, unfinished attic or unfinished basement.

Garage, Private - a building or part of a building used or intended to be used for the storage of motor vehicles and having a capacity for not more than three motor vehicles for each dwelling unit to which the garage is accessory and shall include a carport.

Garage, Public - a building or part of a building other than a private garage used for the storage, care, repair, servicing or equipping of motor vehicles or where such vehicles are kept for renumeration, hire, sale or display.

Gas Bar - a commercial facility predominately for the sale of gasoline, diesel and propane, and may offer for sale other petroleum products and vehicle accessories.

Grade Level - an average of the finished surface of the ground adjacent to the exterior walls of the building or structure.

Gross Floor Area - the total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each story below, at and above grade, excluding attics, balconies, boiler rooms, electrical or mechanical rooms, and basement areas used exclusively for parking or storage.

Group Care Facility - a supervised residential dwelling unit, licensed or approved under provincial statute, for the accommodation of persons, excluding staff, referred by hospitals, courts, government agencies or recognized social service agencies or health care professionals.

Home Occupation - an occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory building and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling and does not change the character thereof.

Hotel - buildings or structures or part thereof, used or advertised as a place where sleeping accommodations are provided and may include accessory uses.

Lane - a secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.

Lot - an area of land with fixed boundaries and which is of record in the Land Titles office by Certificate of Title.

Lot Line - Front - the boundary that divides the lot from the street, in the case of a corner lot, the front lot line shall mean the boundary separating the narrowest street frontage of the lot.

Lot Line - Rear - the boundary at the rear of the lot and opposite the front lot line.

Lot Line - Side - a lot boundary other than a front or rear lot line.

Mini Mall - a single story structure in which a minimum of two (2) of the permitted and discretionary uses of the zoning district are located together, each use having a separate entrance to the outside, and having a gross floor area of less than 3,251 square metres (35,000 sq. ft.).

Mayor - the Mayor of the Town of "XX".

Minister - the member of the Executive Council to whom, for the time being, is assigned the administration of *The Planning and Development Act, 1983.*

Mobile Home - a trailer coach:

(a) that that is used as a dwelling for permanent or year round living;
(b) that has water faucets and a shower head or bathtub that may be connected to a water distribution system;
(c) that has a wash basin and water closet that may be connected to a sewage system; and
(d) which is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A240 series standards.

Mobile Home Lot - a parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

Mobile Home Court - any lot on which two or more occupied mobile homes are located but does not include an industrial or construction camp or tourist campsite.

Modular Home - a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

Modular Home, Single Wide - a modular home that is less than 5 metres (16.40 ft.) in width.

Modular Home, Double Wide - a modular home that is greater than 8 metres (26.25 ft.) in width.

Modular Unit - a factory built frame or shell which comprises supporting and non-supporting walls, siding, and other components of a prefabricated home representing only a section of a dwelling and has neither chassis, running-gear, nor its own wheels.

Motel - buildings or structures or parts thereof, used or advertised as a place where sleeping accommodations are provided and may include accessory uses.

Non-Conforming Building - a building:

a) that is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this bylaw or any amendment to the bylaw affecting the building or land on which the building is situated or will be situated, becomes effective, and
b) that on the date this or any amendment hereto becomes effective does not or when constructed will not comply with this bylaw.

Non-Conforming Use - a lawful specific use:

a) being made of land or a building or intended to be made of a building lawfully under construction, or in respect to which all required permits have been issued, on the date this bylaw or any amendment hereto becomes effective, and
b) that on the date this bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this bylaw.

Public Utility – a system, works, plant, equipment or service, whether owned or operated by or for the municipality, or by a corporation under agreement with the municipality, or under a Federal or Provincial statute, which furnishes any of the following services and facilities to the residents of the municipality:

a) systems for the production, distribution or transmission of electricity;
b) systems for the distribution, storage, or transmission of natural gas or oil;
c) facilities for the storage, transmission, treatment, distribution or supply of water;
d) facilities for the collection, treatment, movement or disposal of sewage and garbage;
e) telephone or light distribution lines;
f) microwave tower communication facilities

g) facilities for optical cable, or cable television services.

Personal Care Home - a facility licensed under *The Personal Care Homes Act* that provides long term residential, social and personal care, including accommodation, meals, supervision or assistance for persons who have some limits on ability for self-care, and are unrelated to the operator or owner.

Personal Service Establishment - a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, shoe repair shops.

Radio and Television Communication Structure - structures used for receiving and broadcasting radio or television signals.

Retail Store - establishments engaged in selling goods or merchandise to the general public for personal or household use; and rendering services incidental to the sale of goods such as groceries, hardware, dry goods, sporting goods, novelties, jewellery, household appliances, books and magazines.

Rooming House - a building containing more than one rooming unit.

Rooming Unit - a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this bylaw with sleeping facilities but without private toilet facilities.

Row House - see Town House

Service Station - a building which is a principal use on a lot or a structure which is an accessory use in a clearly defined space on a lot; where gasoline or other motor fuels are kept for sale and delivery directly into a motor vehicle, and where the service station is a principal use on the lot, it may also include the servicing and repairing of motor vehicles.

Sight Triangle - the area contained in the triangle formed by the corner property lines and a straight line drawn from a point 7.5 metres (24.61 ft.) from the corner property pin to a similar point 7.5 metres (24.61 ft.) along the perpendicular or intersecting property line.

Sign - any device, letter, figure, symbol, emblem or picture, which is affixed to or represented directly or indirectly upon a building, structure or a piece of land and which identifies or advertises any object, product, place, activity, person, organization, or business in such a way as to be visible to the public on any street or thoroughfare.

Sign, A-Board - an A-shaped portable sign that is used for temporary placement and has no external supporting structure.

Sign, Awning - a non-illuminated sign painted or affixed to the surface of an awning which does not extend beyond the perimeter of the awning.

Sign, Billboard - a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the lot on which the sign is located.

Sign, Canopy - a sign attached to, or painted on an awning, canopy or free-standing canopy.

Sign, Construction - a temporary sign erected by a person or company on the premises undergoing construction, identifying pending development and information relating to construction process, labour services, materials or financing, name of building, as well as the owner and participants in the development project, but not including the advertisement of any products.

Sign, Converted Vehicle and Trailer - a vehicle or trailer not originally designed as a sign, but which has been converted or used for that purposes.

Sign, Directional - any sign:
a) displaying safety or warning messages;
b) directing traffic or providing parking directions; or
c) giving instructions, directions or orders to persons making use of premises.

Sign, Face - the entire area of a sign on which a copy could be placed. In the case of multi-faced signs, each facial side of the sign shall be included in determining the total sign surface area.

Sign, Facial Area - the entire surface area of a sign or in the case of a painted wall sign the smallest geometric figure which describes the area enclosed by the sign face.

Sign, Free-Standing - a sign structurally supported by one or more up-rights or braces placed in the ground and not attached to any building.

Sign, Identification - a sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or in the institution, or the occupation of the occupant.

Sign, Portable - a free-standing sign which is capable of being relocated and which may have lettering that can be changed manually, but does not include vehicles and trailers not originally designed as a sign, but which have been converted or used for that purposes.

Sign, Real Estate - a temporary sign that advertises for sale, rent, or lease the land, property or premises on which the sign is displayed.

Sign, Temporary - a sign advertising a message applicable for a defined period of time and not exceeding 6 months.

Sign, Wall - a sign attached to or painted on the wall of a building or structure or its fascia in such a manner that the wall is the supporting structure for or forms the background surface of the sign and which does not project more than 0.5 metres (1.64 ft.) from such building or structure.

Special Care Home - a facility licensed pursuant to *The Housing and Special-Care Homes Act* which provides full-time convalescent or chronic care to persons who, by reason of advanced age, chronic illness or infirmity are unable to care for themselves, including nursing homes.

Street - a public thoroughfare which affords the principal means of access to the abutting property.

Strip Mall - see "Mini Mall".

Structure - anything that is built, constructed or erected, located on the ground, or attached to something located on or in the ground.

Structure, Temporary - anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be relocated or moved and is not of a permanent nature.

Tourist Campground - a tract or parcel of land which provides for the location of tents or trailer coaches used by travellers and tourists for overnight accommodation.

Tourist Home - a private home or dwelling other than a rooming house, hotel or motel in which rooms are offered for rent to the travelling public for sleeping accommodations.

Town – the Town of "XX".

Town House - a multiple unit dwelling under one roof in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall which has no openings.

Trailer Coach - any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner to permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.

Yard - any part of a lot unoccupied and unobstructed by any principal building or structure.

Yard, Front - a yard extending across the full width of a lot between the front lot line and the nearest main wall of the principal building or structure on the lot.

Yard, Rear - a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the principal building or structure on the lot.

Yard, Side - a yard extending from the front yard to the rear yard between the side lot line and nearest main wall of the principal building or structure on the lot.

3. ADMINISTRATION

3.1 Development Officer

The Administrator of the Town of "XX" shall be the Development Officer responsible for the administration of this bylaw.

3.2 Development Permit

(1) Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. **A development permit cannot be issued in contravention of any of the provisions of this bylaw.**

(2) A development permit **is not required** for the following, but all other applicable provisions of this bylaw are to be followed in addition to obtaining a building permit where required:
(a) the maintenance of a public utility by the municipality or private corporation;
(b) the construction of a public utility by the municipality;
(c) the installation of public utility on any street or other public right-of-way by the municipality;
(d) maintenance and repairs that do not include structural alterations;
(e) the installation of fences or accessory buildings under 9.3 square metres (100.11 sq. ft.).

(3) A **building permit** shall not be issued unless a development permit, where required, has also been issued.

(4) If the development or use authorized by a development permit is not commenced within six months from the date of its issue, and completed within twelve months of its issue, the permit is deemed void unless an extension to the period has first been granted.

3.3 Application for a Development Permit

(1) The application for a development permit shall be made, to the Development Officer, in **Form A** as attached to and forming part of this bylaw. The application shall be accompanied by two copies of a lot or building plan showing dimensions and locations of existing and proposed buildings and structures as well as lot lines. Where no new construction is proposed the applicant shall supply a written description of the proposed development in place of such plans.

(2) Where the application is for a **Discretionary Use** the applicant shall also provide a written description of the proposed development, describing the intended use and operations, structures to be located on the lot, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.

3.4 Review of Applications

(1) The Development Officer is responsible for reviewing all applications to ensure that the proposed development complies with all applicable regulations and provisions of this bylaw and the policies contained in the Basic Planning Statement.

(2) Where the application is for a discretionary use, the Development Officer shall submit the application, along with all other relevant material to Council.

3.5 Decision

(1) The decision on all applications shall be made in writing to the applicant, in **Form B**, as attached to and forming part of this bylaw.
(2) Where the application is for a PERMITTED USE the Development Officer shall, upon completion of the review:
(a) issue a development permit where the application conforms to all provisions of this bylaw; or
(b) issue the development permit specifying any special regulations or standards to which the development or use must comply, where the class of development or use is subject to

special regulations, performance standards or development standards that are specified in this bylaw; or

(c) refuse the application where the provisions of this bylaw are not met, indicating to the applicant the reason for the refusal.

(3) Where the application is for a DISCRETIONARY USE the Council shall pass a resolution instructing the Development Officer to either:

(a) issue a development permit incorporating any special development standards prescribed by Council in accordance with the provisions of this bylaw; or

(b) refuse the application, indicating the reasons for the refusal.

3.6 Revocation of Decision

Where an approved development is not being developed in accordance with the provisions of this bylaw, or with the standards and conditions specified in the development permit, Council may revoke or suspend the development permit. The development permit shall not be reissued or reinstated until all deficiencies have been corrected.

3.7 Development Appeals

(1) A Development Appeals Board of the Town of "XX" is appointed in accordance with Sections 71 and 91 to 104 of *The Planning and Development Act, 1983*.

(2) Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Town of "XX".

(3) Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED DEVELOPMENT STANDARDS pursuant to this bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Town of "XX".

(4) An application for a development permit for a PERMITTED USE shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.7(2) as though the application had been refused at the end of the period specified in this subsection.

(5) An application for a minor variance may be appealed to the Development Appeals Board of the Town of "XX" in accordance with Sections 3.12(12) and (13).

(6) A fee of $50.00 shall be paid where an appeal is made to the Development Appeals Board.

3.8 Advertising of A Discretionary Use

Prior to making a decision on a discretionary use application, Council shall provide notice to the public in the following manner:

(1) In the case of an application for a home occupation, by providing written notice to assessed owners of property having a common boundary with the applicant's land that is the subject of the application.

(2) In the case of a discretionary use application in any residential district, by providing written notice to assessed owners of property having a common boundary with the applicant's land that is the subject of the application, and providing notice in one issue of a newspaper published or circulated in the Town of "XX".

(3) In the case of a discretionary use application in any other zoning district, by providing notice in one issue of a newspaper published or circulated in the Town of "XX".

3.9 Application Fees

The following fees shall apply for processing applications:

(1) *Amendment of the Zoning Bylaw* - Where a person requests Council to amend the zoning bylaw that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment.

(2) *Discretionary Uses* - The applicant shall pay to the municipality a fee equal to the costs associated with providing notice to the public.

(3) *Development Permits* - An applicant for a development permit shall pay an application fee in accordance with the following:

(a) Permitted principal use	- $ 10.00
(b) Permitted accessory use	- $ 0.00
(c) Ancillary use	- $ 10.00
(d) Discretionary principal use	- $ 25.00
(e) Discretionary accessory use	- $ 10.00

The application fees for a development permit shall be in addition to any fees for providing notice to the public as required in clauses (1) and (2).

(4) *Minor Variance* - The application fee for a minor variance shall be $25.00.

3.10 Enforcement, Offences and Penalties

(1) In accordance with *The Planning and Development Act, 1983* the Development Officer may, at a reasonable time, and with the consent of the owner, operator, or occupant, enter any land, building, or premises for the purposes of inspection where the Development Officer has reasonable grounds to believe that any development or form of development on or in the land, building or premises contravenes any provision of the zoning bylaw. Any steps to enforce the provisions of the zoning bylaw shall be followed as set out in *The Planning and Development Act, 1983.*

(2) Any person who violates this bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in *The Planning and Development Act, 1983.*

3.11 Contract Zoning

(1) Council may enter into an agreement respecting the rezoning of land in accordance with the guidelines established by the Basic Planning Statement on contract zoning.

(2) Council may in the agreement include:
- a description of the proposal;
- reasonable terms and conditions with respect to:
  - the uses of the land and buildings or forms of development;
  - the site layout and external design including parking areas, landscaping, and entry and exit ways;
- a time limit in which the development must occur in accordance with the agreement, otherwise the site will revert to the previous zoning classification; and
- that on the rezoning of the land none of the land or buildings shall be developed or used except in accordance with the proposal, terms and conditions and time limit prescribed in the agreement

(3) Council may require the payment of a performance bond to assure implementation of the agreement prior to entering into an agreement with a person.

(4) A rezoning agreement will not be signed until the public has had an opportunity to examine the proposed rezoning through a public notice. Public notice and review will be in accordance with the procedure and public notification process provided in Part IX of *The Planning and Development Act, 1983*. Final reading of the zoning bylaw will be subject to the signing of the agreement. The amendment of the zoning bylaw shall take effect upon registration of the caveat as contained in subsection (5).

(5) As required by *The Planning and Development Act, 1983*, a caveat will be registered in the appropriate Land Titles Office against the lands affected by the agreement binding the owner of the land and future landowners to the agreement.

(6) The Council may, on application by the person who entered into an agreement pursuant to this section or by any person who is the subsequent owner of land to which the agreement pertains:
- vary the agreement;
- enter into a new agreement; or
- extend any time limit prescribed in an agreement.

(7) The Council may declare a rezoning agreement void where:
- any of the land or buildings is developed or used contrary to the provisions of the agreement; or
- the development fails to meet a time limit prescribed by an agreement;

and the land reverts to the district to which it was subject before rezoning.

(8) Where the Council voids an agreement, it will:
- give notice of the cancellation and the effect of the cancellation in one issue of a newspaper circulated in the municipality; and
- withdraw the caveat registered in connection with the agreement.

(9) The symbol "C" will be attached to the appropriate zoning district in order to identify land that is zoned by an agreement.

3.12 Minor Variances to the Zoning Bylaw

(1) An application may be made to the Development Officer for a minor variance to the zoning bylaw in a form as prescribed by the Development Officer.

(2) The Development Officer shall maintain a register as an appendix to the zoning bylaw of all minor variance applications.

(3) The Development Officer may vary the requirements of the zoning bylaw subject to the following conditions:
   (a) a minor variance may be granted for variation only of:
      (i) the minimum required distance of a building from the lot line; and
      (ii) the minimum required distance of a building to any other building on the lot;
   (b) the maximum amount of minor variance shall not exceed a 10% variation of the bylaw requirements of the zoning bylaw;
   (c) the development shall conform to the zoning bylaw with respect to the use of land;
   (d) the relaxation of the zoning bylaw shall not injuriously affect neighbouring properties;
   (e) no minor variance shall be granted for a discretionary form of development, or in connection with an agreement on rezoning entered into pursuant to Section 82 of *The Planning and Development Act, 1983*

(4) An application for a minor variance shall be in a form prescribed by the Development Officer.

(5) On receipt of an application for a minor variance, the Development Officer may:
   (a) approve the minor variance;
   (b) approve the minor variance and impose terms and conditions on the approval; or refuse the minor variance.

(6) Where the Development Officer imposes terms and conditions on an approval pursuant to subsection (5), the terms and conditions shall be consistent with:
   (a) minimizing adverse impacts on neighbouring properties;
   (b) providing adequate separation between buildings for safety reasons; and
   (c) avoiding encroachment into adjoining property.

(7) Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal and provide reasons for the refusal.

(8) Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the applicant's land that is the subject of the application.

(9) The written notice required pursuant to subsection (8) shall:
   (a) contain a summary of the application for minor variance;
   (b) provide a reason for and an effective date of the decision;
   (c) indicate that an adjoining assessed owner may within 20 days, lodge a written objection with the Development Officer; and
   (d) where there is an objection described in clause (c), advise that the applicant will be notified of the right of appeal to the Development Appeals Board.

(10) The written notice required pursuant to subsection (8) shall be delivered:
   (a) by registered mail; or

(b) by personal service.

(11) A decision approving a minor variance, with or without terms and conditions, does not take effect:
   (a) in the case of a notice sent by registered mail, until 23 days from the date the notice was mailed;
   (b) in the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.

(12) If an assessed owner of property having a common boundary with the applicant's land that is the subject of the application objects, in writing, to the municipality respecting the approval of the minor variance within the time period prescribed in subsection (9), the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
   (a) of the revocation of the approval; and
   (b) of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.

(13) If an application for a minor variance is refused or approved with terms and conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

4. GENERAL REGULATIONS

4.1 All Zoning Districts

The following regulations shall apply to all zoning districts in this bylaw:

4.1.1 Licenses, Permits, and Compliance with Other Bylaws

Nothing in this bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the Town of "XX" or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of the Town of "XX". Where provisions in this bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail

4.1.2 Existing Buildings

Where a building has been erected on or before the effective date of this bylaw on a lot having less than the minimum frontage or area, or having less than the minimum set-back or side yard or rear yard required by this bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

(1) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard that does not conform to this bylaw;
(2) all other applicable provisions of this bylaw are satisfied; and
(3) such changes must be approved by the Development Officer responsible for the administration of this bylaw.

4.1.3 Building Lines

Where a front building line in any district has been established by existing buildings in a block, and is less than the specified front yard requirement, new construction may conform to the established building line provided that Council, by resolution or bylaw, permits conformation to the established building line.

4.1.4 Number of Principal Buildings Permitted on a Lot

Not more than one principal building shall be placed on any one lot, with the exception of schools, hospitals, curling and skating rinks, community centres, nursing homes, senior citizen homes, dwelling unit groups, and multiple unit dwellings.

4.1.5 Building to be Moved

No building, residential or otherwise, shall be moved within or into the area covered by this bylaw without obtaining a development permit from the Development Officer unless such building is exempted by this bylaw.

4.1.6 Demolition of Buildings

No building, residential or otherwise, shall be demolished within the area covered by this bylaw without obtaining a development permit from the Development Officer.

4.1.7 Grading and Levelling of a Lot

Any lot proposed for development shall be graded and levelled at the owner's expense to provide for adequate surface drainage, which does not adversely affect adjacent property, in accordance with the requirements of the Town of "XX".

4.1.8 Waste Disposal

Subject to the Acts and Regulations administered by the Departments of Health and Environment and Resource Management, no liquid, solid or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto any land or into the air.

4.1.9 Non-Conforming Uses and Non-Conforming Buildings

Non-conforming uses and non-conforming buildings shall be subject to *The Planning and Development Act, 1983*.

4.1.10 Non-Conforming Structures and Lots and Metric Conversion

No existing structure or lot shall be deemed to be non-conforming by reason only of the conversion from the Imperial System of Measurement to the Metric System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

4.1.11 Geotechnical Analysis Required

If a proposed development is to be located on a lot or lots that may be subject to flooding, earth movement or instability, or is otherwise unsuitable for development or hazardous for the proposed use, Council may require that, as a condition of the issuance of the development permit, a geotechnical report be completed and approved by a Registered Engineer in the Province of Saskatchewan, indicating the suitability of the lot or lots to for development and any remedial measures that may be required to ensure that the natural resource base is not irreparably altered. Remedial measures may be specified as conditions to the issuance of a development permit.

4.1.12 Satellite Dish, Radio Tower or Television Antenna for Personal Use

The installation and operation of a free standing satellite dish, radio tower or television antenna and its supporting structure intended for personal use is permitted in all zoning districts provided that such structures is not located in any front yard or in the case of a corner lot, in any portion of the rear yard which is within 3 metres (9.8 ft.) of the side lot line adjacent to a flanking street.

4.2 Residential Districts

4.2.1 Projections in Yards

The following projections in yards may be permitted subject to the setback requirements of the National Building Code:

(1) Front Yards

The following features may project into a required front yard:

(a) cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, fire escapes to a maximum projection of 0.61 metres (2 ft.);
(b) unenclosed decks no higher than 0.61 metres (2 ft.) above the finished grade, cantilevered balconies, porches and steps to a maximum projection of 1.8 metres (5.91 ft.); a satellite dish, radio tower or television antenna where attached to a principal dwelling to a maximum projection of 0.61 metres (2 ft.).

(2) Rear Yards

The following features may project into a required rear yard:

(a) cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 metres (4.91 ft.);
(b) unenclosed decks no higher than 0.61 metres (2 ft.), balconies, porches, and steps to a maximum projection of 3 metres (9.84 ft.);
(c) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.61 metres (2 ft.).

(3) Side Yards

(a) The following features may project into a required side yard:
  (i) bay windows, window boxes and sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.61 metres (2 ft.); and
  (ii) cantilevered construction of fire escapes, chimney chases, bow windows, bookcases, built in cabinets, balconies, and canopies to a maximum projection of 0.61 metres provided that the total area of all cantilevered features shall not exceed 2.5 square metres (26.9 sq. ft.) per floor level;

(b) Unenclosed decks no higher than 0.61 metres (2 ft.) above the finished grade may project to the side property line, but not encroach onto neighbouring property.

(c) No projections shall be permitted within a side yard required for vehicular access or parking where any portion of the said projection would be at an elevation lower than 2.5 metres (8.2 ft.) above the finished grade elevation measured at the corresponding side wall of the building.

(d) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of .61 metres (2 feet).

(4) Wheel Chair Ramps

A wheelchair ramp may encroach into any required yard.

4.2.2 Accessory Uses, Buildings, and Structure

(1) In all Residential Districts the following regulations shall apply to uses, buildings and structures including private garages, which are accessory and detached from the principal dwelling:

Side yard, minimum	-	765 metres (2.5 ft.) and no structure shall have a projection greater than 0.61 metres (2 ft.) beyond the main wall, except where in the case of a corner lot and where access to the structure is obtained from the flankage street, all accessory uses, buildings, structures shall maintain a minimum side yard of 4.5 metres (14.76 ft.) from the side lot line on the flankage street.
Rear yard, minimum	-	1.2 metres (3.94 ft.)
Front yard, minimum	-	the front yard of the principal building of the specific zoning district shall apply.
Height, maximum	-	5 metres (16.4 ft)

(2) Private garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building.

(3) The following structures are allowed in a required yard and are not subject to setback regulations, except where a sight triangle is required:

(a) In all yards: sidewalks, uncovered driveways, lighting fixtures, and lamp posts.
(b) In rear yards; in addition to the structures listed in clause (a) above, recreation equipment, laundry drying equipment, and garbage stands.

4.2.3 Fences and Hedges

Fences may be constructed or hedges and shrubs grown, along a lot line only in conformance with the following regulations:

(1) No wall, fence, hedge or shrub (excluding trees) located along any side or rear lot line, shall exceed 2 metres (6.56 ft.) in height.

(2) No wall, fence, hedge or shrub (excluding trees) located along any lot line in any required front yard, shall exceed 1 metre (3.3 ft.) in height.

(3) In the case of a corner lot, no wall, fence, hedge, shrub or tree shall exceed 1 metre (3.3 ft.) in height, measured above the grade of the streets that abut the lot or site, in an intersection sight triangle.

4.2.4 Storage

(1) No side or front yards shall be used for the storage or collection of goods, commodities or other form of material.

(2) No side or front yards shall be used for the storage or collection of goods, commodities or other form of material.

4.3 Commercial and Industrial Districts

4.3.1 Projections in Yards

In any Commercial or Industrial District, where minimum front or rear yards are required, such minimum requirement shall not apply to prevent the construction or location of chimney chases, fire escapes, steps, eaves and gutters of 0.61 metres (2 ft.) or less.

4.3.2 Fences and Hedges

Fences constructed or and hedges and shrubs planted in Commercial or Industrial Districts shall comply with the following regulations:

(1) Except where required for screening, a fence, hedge or shrub (excluding trees) shall not exceed 3 metres (9.84 ft.) in height.

(2) In the case of corner lots, no fence, hedge, shrub, or tree shall be placed so as to create a visual obstruction in a sight triangle.

5. SPECIAL PROVISIONS

This section addresses special provisions and specific development standards that apply to a development where allowed as a permitted or a discretionary use in a zoning district. Where there are special provisions on a specific use and that use is a discretionary use, the specific regulations and development standards applicable to discretionary uses shall apply.

5.1 Discretionary Uses

In approving a discretionary use, Council may prescribe specific development standards intended to minimize land use conflict related to:

(1) the nature, size, shape, elevation and surface drainage of the site;
(2) the size, shape and arrangement of buildings;
(3) access and traffic patterns for persons and vehicles;
(4) type and volume of vehicle traffic;
(5) off-street parking and loading;
(6) safeguards to prevent noise, glare, dust and odour;
(7) landscaping;
(8) screening and fencing; and
(9) lighting and signs.

5.2 Bed and Breakfast Lodging

Bed and breakfast lodging, where allowed in a specific district, shall be subject to the following development standards:

(1) Bed and breakfast lodging shall be located in a single detached dwelling used as the operator's principal residence.
(2) Bed and breakfast lodging shall be licensed by the Department of Health and meet the requirements of the Fire Commissioner.
(3) A maximum of two guest bedrooms shall be permitted in a dwelling operating as bed and breakfast lodging.
(4) One (1) off-street parking space shall be provided on site.
(5) One non-illuminated window or wall sign having a maximum facial area of .2 square metres (2.15 sq. ft.) advertising the bed and breakfast lodging is permitted.

5.3 Home Occupations (Home Based Business)

Home occupations, where allowed in a residential district, shall be subject to the following development standards:

(1) Home occupations may be located in dwelling used as the owners own residence or in a building accessory to the dwelling where the principal dwelling is other than a multiple unit dwelling
(2) Home occupations shall be conducted entirely within the dwelling or accessory building.
(3) Home occupations shall not create any conflict with the residential area in terms of emission of noise, glare, dust or odour, which would be disruptive to the surrounding residential, uses.
(4) Home occupations shall not result in undue increased traffic or parking requirements in the residential area.
(5) The home occupation shall not have any exterior display or storage of materials and no exterior variation from the residential character of the residence or its accessory building.
(6) Persons employed in the home occupation shall be full time residents of the dwelling.
(7) No more than 25 percent of the gross floor area of the principal building shall be used for the home occupation.
(8) All permits issued for home occupations shall expire upon the person ceasing to operate and where the person issued the home occupation permit relocates.

5.4 Service Stations and Gas Bars

Service stations and gas bars, where allowed in a specific zoning district, shall be subject to the following development standards:

(1) Fuel pumps and other accessory equipment shall be located at least 6 metres (19.69 ft.) from any street or lot line.
(2) All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.
(3) All business shall be conducted and all goods stored wholly within an enclosed building except as required in the servicing of motor vehicles.
(4) The arrangement of the proposed structure on the site shall be designated to reduce conflict with adjoining uses.
(5) The access to the site shall be designed to reduce conflict with other vehicular and pedestrian traffic.
(6) Any specific development standards imposed related to landscaping, screening, open spaces, parking and standing areas for vehicles shall be designed to reduce conflict with adjoining land uses and to ensure adequate areas for vehicles on the property.
(7) The storage of fuel shall meet all provincial regulations.

5.5 Personal Care Homes

A personal care home shall be subject to the following development standards where developed in a single detached dwelling in a residential area:

(1) The personal care home shall maintain the single detached residential character of the property consistent with the neighbourhood.
(2) A personal care home shall meet all of the regulations for a single detached dwelling as prescribed for the district in which it is located
(3) The operator of the personal care home shall be a permanent resident of the dwelling licensed as a personal care home.
(4) A maximum of two personal care homes will be allowed in a block and may be located on the same side of the street or on opposite sides of the street.
(5) The maximum number of residents allowed in a personal care home shall be 10 residents.
(6) Any changes resulting in the increase in the number of residents to the maximum number set in clause (4) or an increase in the area devoted to a personal care home or alterations or additions to the structure used as a personal care home shall require a new development permit for a discretionary use.
(7) One non-illuminated window or wall sign having a maximum facial area of .2 square metres (2.15 sq. ft.) advertising the personal care home is permitted.
(8) One (1) off-street parking space shall be provided on site.

6. SIGN REGULATIONS

6.1 The Need for a Sign Permit

(1) Except as otherwise provided, a sign permit is required for erecting, enlarging, changing or structurally altering a sign. A sign shall not be erected, altered, enlarged or maintained upon any property, lot or street in any district, by any person, except in conformity with the regulations outlined in the following sections:

(2) The provisions of these regulations shall not be construed as to limit or interfere with the erection and maintenance of signs on public streets, public lanes or public places of signs which are designed and intended for the safety or protection of the health and general welfare of the public, which are essentially for the maintenance and protection or efficient operation of public service and public property or which are primarily intended for direction of the public and identification of establishments or places of public service which are clearly not operated for the purpose of gain.

(3) A sign permit is not required for the following, however, general regulations must be complied with where applicable:
   (a) Government signs where signs erected by a duly constituted government body or organization is for the purpose of providing information by:
      (i) a public service by the Town;
      (ii) an agency supplying a public utility;
      (iii) the Provincial or Federal Government; and
      (iv) a committee or local authority established by the Town.
   (b) Directional signs having a maximum facial area of 1 square metre (10.76 sq. ft.).
   (c) Temporary signs comprised of:
      (i) Display window signs located on the surface of or inside display windows, lighted only by building illumination.
      (ii) Event signs which are unlighted signs having a maximum facial area of 3 square metres (9.84 sq. ft.) displayed on private property and limited to one per each premise, announcing a campaign, drive or event of a civic philanthropic, educational, or religious organization, to be removed within one (1) day after the event.
   (d) Construction signs subject to the following regulations:
      (i) two signs on the premises are permitted; and
      (ii) the maximum sign facial area shall be 7.5 square metres (80.73 sq. ft.) for each sign permitted on site. These signs must be removed within 14 days after the building is occupied.
   (e) Real estate signs - one unlighted sign having a maximum facial area of 1.2 square metres (12.92 sq. ft.).
   (f) Address designation signs - signs that denote a numerical civic address or occupant having a maximum facial area of 0.6 square metres (6.46 sq. ft.), and when illuminated, shall be continually lit.
   (g) Tenant identification signs - signs located inside a building including tenant identification inside an enclosed shopping centre.
   (h) Election signs
   (i) Banners

6.2 General Regulations

(1) No sign shall be located in any manner that would visually obstruct or jeopardize the safety of others.
(2) Signs shall not interfere with traffic signs or lights, public utilities, landscaping or street furniture.
(3) Where intermittent lights are deemed to be a safety hazard by Council, or a duly appointed police officer for the Town, such lights shall be converted to a steady source of illumination.
(4) Where signs are to be place adjacent to a provincial highway, they shall be subject to Saskatchewan Highways and Transportation regulations where applicable.

6.3 Sign Regulations for Residential Districts

The following regulations shall apply to signs allowed in any Residential District:

(1) One wall sign is permitted for a dwelling having a maximum facial area as follows:
   (a) multiple unit dwellings - 1 square metre (10.76 sq. ft.); and
   (b) all other dwellings - 0.5 square metre (5.38 sq. ft.).
(2) One additional sign for multiple unit dwellings may be erected as follows:
   (a) a free-standing sign having a maximum facial area of 2.3 square metres (24.76 sq. ft.) in area; or
   (b) a free-standing canopy or awning sign subject subsection (3) and providing a minimum clearance of 2.45 metres (8 ft.) between the bottom of the canopy and sidewalk or ground.
(3) Free-standing signs shall be located at least 3 metres (9.84 ft.) from any lot line and not be located in a sight triangle.
(4) Non-residential uses in a residential district shall be subject to sign regulations for multiple unit dwellings.
(5) One real estate sign not exceeding 1.5 square metres (16.15 sq. ft.) in area to a maximum height of 2.5 metres (8.2 ft) in height.
(6) All signs shall be located wholly within the lot and shall not create visual obstructions or jeopardise public safety.

6.4 Sign Regulations for Commercial and Industrial Districts

The following regulations shall apply in any Commercial District or Industrial District:

(1) Advertising signs in Commercial and Industrial Districts may be illuminated by direct or indirect lighting and the lights may project different colours and may be intermittent.
(2) Illuminated signs shall have an internal light source or an external light source shielded so that the light is directed at the face of the sign.
(3) All signs shall provide a minimum clearance of 2.45 metres (8.2 ft.) between the bottom of the sign and a street or sidewalk.
(4) All signs shall be located wholly within the lot lines of the lot in which they are located, except for signs located within the C1 - Central Business District. This provision would also not apply to billboard signs and converted vehicle and trailer signs.
(5) Signs shall be located a minimum distance of 1 metre (3.28 ft.) from any lot line.
(6) Specific sign regulations for portable signs are as follows:
   (a) Except as may be permitted by the Development Officer, a portable sign shall not be located or encroach onto a public roadway, boulevard, or sidewalk.
   (b) A portable sign shall not be located or erected for a period greater than 14 days.
   (c) The maximum height of a portable sign shall be 2 metres (6.56 ft.).
   (d) The maximum sign facial area shall not exceed 1.2 square metres (3.94 sq. ft.) for A-Board signs and 3 square metres (32.29 sq. ft.) for all other portable signs.

6.5 Signs Permitted at Council's Discretion

The following signs may be allowed at Council's discretion in a Commercial, Industrial, or UH-Urban Holding District:

6.5.1 Billboard Signs

(1) The billboard sign face height regulations shall be as follows:
   (a) maximum single face area - 20 square metres (65.62 sq. ft.)
   (b) maximum total face area - 40 square metres (430.57 sq. ft.)
   (c) maximum number of faces - 2
   (d) double faced signs shall be constructed so one face is completely behind and parallel to the other face and facing the opposite direction.
   (e) maximum height above grade - 6 metres (19.69 ft.)

(2) No billboard shall have flashing or intermittent light. All lighting shall be shielded from direct view from any roadway or site boundary.

(3) Council may place special conditions on the location of the billboard on a site to protect the clear view of an intersection or a highway approach, or other directional and informational signs.

6.5.2 Converted Vehicle and Trailer Signs

(1) In considering an application for a converted vehicle and trailer sign, Council may apply specific development conditions related to:
   (a) location and orientation of the sign;
   (b) proximity to other signs; and
   (c) lighting, where the sign is to be illuminated.

Note: The following off-street parking and off-street loading provisions are optional.

7. OFF-STREET PARKING AND LOADING REGULATIONS

7.1 General Regulations

(1) No person within any district shall erect, enlarge, substantially alter, or extend any building permitted under this Bylaw, unless the required off-street parking and loading spaces are provided and maintained in connection with such development.

(2) When the intensity of use of any building or use is increased by the addition of dwelling units, floor area, seating capacity or other unit of measurement, as specified for required parking and loading facilities, the number of parking and loading spaces shall also be increased in conformance with the provisions of this Bylaw.

(3) Whenever the existing use of a building is changed the parking and loading spaces shall be provided as required for the new use; however, if the said building or structure was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required only by the number that the requirements for the new use exceed those of the existing use.

(4) For any conforming or legal non-conforming building or use which is in existence on the effective date of this Bylaw, that is damaged by fire, collapse, explosion, or other cause to the extent of 50 percent or more of its assessed value and such building is reconstructed, repaired or re-established, off-street parking and loading facilities shall be provided in accordance with this Bylaw.

7.2 Off-Street Parking

(1) Off-Street parking shall be provided in accordance with the following schedule and regulations.

Land Use	Minimum Number of Parking Spaces Required
Residential Dwelling	
- single detached	1
- semi-detached and duplex	1 per dwelling unit
- mobile home	1 per dwelling unit
- multiple unit	1.5 per dwelling unit
- multiple units for seniors citizen housing	1 per 4 dwelling units
- bed and breakfast lodging	1 per guest bedroom
Institutional	
- elementary school	1 per classroom
- high school and collegiate	4 per classroom
- hospital	1 per 3 beds, plus 1 for every 4 employees
- special care and nursing home	1 per 5 beds, plus 1 for every 4 employees
- community centre, auditorium places of worship	1 per 10 seats provided for patrons
- personal care home	1 where the number of personal care home residents exceeds 5
- library, cultural institution	1 per 35 seats provided for patrons
Recreational	
- theatre, churches	1 per every 10 seats provided for patrons
- arena, curling rink	4 per sheet of ice
- billiard hall	1 for every 46 square metres (495.16 sq. ft.) of gross floor area
- bingo hall	1 per 4 seats provided for patrons
- bowling alley	4 per alley
- lodge, fraternal order, club or gymnasium	1 for every 9 square metres (96.87 sq. ft.) of gross floor area
Office	
- business, professional, administrative	1 for every 37 square metres (398.28 sq. ft.) of gross floor area
Retail Store	1 for every 46 square metres (495.16 sq. ft.) of gross floor area
Shopping Centre and Mini-Mall	1 for every 30 square metres (322.93 sq. ft.) of gross floor area
Restaurant, Cafe, Licensed Dining and Beverage Room	1 per 4 seats provided for patrons
Hotel, Motel	1 per guest room or unit
Lumber Yard, Home Improvement Centre	1 for every 46 square metres (495.16 sq. ft.) of gross floor area

Industrial and Manufacturing Plants	1 for every 55 square metres (592 sq. ft.) of gross floor area or one for each employee which ever is greater
Warehousing	1 for every 90 square metres (968.78 sq. ft.) of gross floor area
Other	1 for every 30 square metres (322.93 sq. ft.) of gross floor area

(2) Required off-street parking spaces in any Commercial or Industrial District may be located on a separate lot that is within a convenient walking distance to a maximum of 150 metres (492.13 ft.) of the principal building or use, provided such spaces are located within a Commercial or Industrial District.

(3) In Residential Districts, off-street parking spaces shall be provided on the lot on which the principal use to which the parking pertains is located.

(4) Where the necessary off-street parking space is provided on a lot that is separate from the principal use, there shall be recorded in the office of the Development Officer a registerable agreement between the municipality and the owner of the lot on which the parking is to be located. The agreement shall be binding on the said owner and his heirs and successors restricting the use of the said lot for the purposes of off-street parking so long as the main use or building for which the parking is provided exists; and a caveat based on the agreement shall be registered against the said lot in the appropriate Land Titles Office by the municipality.

7.3 Payment of Cash-In-Lieu of Required Off-Street Parking

(1) Pursuant to *The Planning and Development Act, 1983* the Development Officer may exempt any person who is required to provide off-street parking in a Commercial District from the requirement of providing the off-street parking facilities, where, in lieu thereof, he pays or agrees to pay the municipality the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required by $ ____ per parking space.

(2) The payment of cash-in-lieu of providing off-street parking shall satisfy the off-street parking requirement for the existence of the building on the lot except where the intensity of the use is increased or where the use is changed requiring additional off-street parking. Money paid as cash-in-lieu of off-street parking will not be refunded where the intensity is decreased or the use is changed requiring less off-street parking spaces or cash paid in lieu.

(3) A person who pays, or agrees in writing to pay the required sum in lieu of providing off-street parking facilities and the buildings or structures in respect of which such payment is to be made, shall be treated as having met the off-street parking regulations.

(4) All such sums of monies shall be paid to the municipality prior to the issuance of a development and/or building permit.

7.4 Off-Street Loading

(1) In any Industrial or Commercial District where the use of a building or lot involves the receipt,

distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading or unloading shall be provided on the lot in conformity with the following regulations:

Gross Floor Area	Number of Spaces
90 m^2 to 1,300 m^2 (969 $ft.^2$ to 13,993 $ft.^2$)	1
Over 1,300 m^2 to 2,500 m^2 (over13,993 $ft.^2$ to 26,910 $ft.^2$	2
Over 2,500 m^2 (over 26,910 $ft.^2$)	2 plus 1 additional space for each 6,500 m^2 (69,965 $ft.^2$) over 2,500 m^2 (26,910 $ft.^2$)

(2) All off-street loading spaces shall be located on the lot and be of a sufficient size so that materials and commodities can be easily loaded or unloaded without creating interference to vehicular traffic on a public roadway.

8. ZONING DISTRICTS AND ZONING MAP

8.1 Classification of Zoning Districts

For the purpose of this bylaw, the Town of "XX" is divided into the following Zoning Districts, the boundaries of which are shown on the "Zoning District Map." Such districts may be referred to by the appropriate symbol.

Districts	Symbols
Residential	R1
Residential	R2
Central Business	C1
Highway Commercial	C2
Community Service	CS
Industrial	I
Urban Holding	UH

8.2 The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. ____" adopted by the Town of "XX" signed by the Mayor and Town Administrator under the seal of the Town shall be known as the "Zoning District Map" and such map is hereby declared to be an integral part of this bylaw.

8.3 Boundaries of Zoning Districts

The boundaries of such districts referred to together with an explanatory legend, notation and reference, are shown on the map entitled, "Zoning District Map". Unless otherwise shown, the boundaries of such districts are lot lines, centre lines of streets, lanes, road allowances, or such lines

extended and the boundaries of the municipality. In unsubdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

8.4 Zoning District Schedules

The uses or forms of development allowed within a Zoning District, along with regulations or standards which apply are contained in the Zoning District Schedules in Section 9.

9. ZONING DISTRICT SCHEDULES

9.1 R1 - Residential District

9.1.1 Permitted Uses

The following are permitted uses in the R1 – Residential District:

(1) Single detached dwellings
(2) Parks and playgrounds
(3) Public utilities (excluding offices, warehouses and storage yards)

9.1.2 Discretionary Uses

The following are discretionary uses in the R1 – Residential District:

(1) Modular homes
(2) Semi-detached and duplex dwellings
(3) Places of worship, religious institutions
(4) Day care centres
(5) Family child care homes
(6) Home occupations subject to the requirements of Section 5.3.
(7) Personal care homes

9.1.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.1.4 Regulations

(1) Single Detached Dwelling/Modular Homes

Lot area - minimum	-	464 square metres (4,994.6 sq. ft.) where the lot is served by a lane, otherwise 557 square metres (5,995.69 sq. ft.)

Lot frontage - minimum	-	rectangular lots: 15 metres (49.21 ft.) where the lot is served by a lane otherwise 18 metres, (59.06); non-rectangular lots: 11 metres (36.09 ft.) with a mean width of 15 metres over the first 30 metres (98.43 ft.) measured from the front lot line where there is a lane, otherwise 15 metres with a mean width of 18 metres measured from the front lot line.
Yard, front - minimum	-	8 metres (26.25 ft.)
Yard, rear - minimum	-	7.5 metres (24.61 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).
Yard, side - minimum	-	1.2 metres (3.94 ft.), except that for a corner lot, the minimum side yard shall be 3 metres (9.84 ft.) from a flankage street, however, where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 6 metres (19.69 ft.).
Floor area - minimum	-	80 square metres (861.14 sq. ft.)

(2) Semi-detached and Duplex Dwellings

Lot area (per dwelling unit) - minimum	-	278 square metres (2,992.47 sq. ft.) where the lot is served by a lane, otherwise 325 square metres (3,498.39 sq. ft.)
Lot frontage (per dwelling unit) - minimum	-	9 metres (29.53 ft.) where the lot is served by a lane otherwise 10.5 metres, (34.45 ft.)
Yard, front - minimum	-	8 metres (26.25 ft.)
Yard, rear - minimum	-	7.5 metres (24.61 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).
Yard, side (per dwelling unit) - minimum	-	1.2 metres (3.94 ft.), except that for a corner lot, the minimum side yard shall be 3 metres (9.84 ft.) from a flankage street, however, where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 6 metres (19.69 ft.).
Floor area (per dwelling unit) - minimum	-	46 square metres (495.16 sq. ft.).

(3) All Other Uses (except public utilities)

Lot area - minimum	-	no minimum
Lot frontage – minimum	-	no minimum
Lot front - minimum	-	7.5 metres (24.61 ft.)
Lot rear - minimum	-	7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater

Yard side - minimum - 3 metres (9.84 ft.) or half the building height whichever is greater

9.1.5 Development Standards For Modular Homes

(1) All modular homes shall be place on a permanent foundation comprised of a full or partial basement and/or concrete or preserved wood grade beam/pile structure, such foundation being not less than 600 millimetres above recommended or established grade. The basement wall and grade beam support shall be attached to the perimeter of the building.

(2) Modular homes shall be permanently connected to water and sewer services provided by the municipality and any other public utilities that may be acquired by the owner or occupant serving the dwelling.

9.1.6 Development Standards For Personal Care Homes

Section 5.5 shall apply to personal care homes located in a single detached dwelling.

9.1.7 Signs

Section 6 regulations shall apply in the R1 – Residential District.

9.1.8 Storage

Subsection 4.2.4 regulations shall apply in the R1 – Residential District.

9.2 R2 - Residential District

9.2.1 Permitted Uses

The following are permitted uses in the R2 - Residential District:

(1) Single detached dwellings
(2) Semi-detached and duplex dwellings
(3) Parks and playgrounds
(4) Public utilities (excluding offices, warehouses and storage yards)

9.2.2 Discretionary Uses

The following are discretionary uses in the R2 – Residential District:

(1) Modular homes
(2) Multiple unit dwellings
(3) Community centres
(4) Swimming pools
(5) Places of worship, religious institutions
(6) Lodges, fraternal organizations, clubs
(7) Libraries and cultural institutions
(8) Day care centres
(9) Family child care homes

(10) Home occupations subject to the requirements of Section 5.3.
(11) Personal care homes
(12) Sports fields
(13) Swimming pools
(14) Bed and breakfast subject to the requirements of Section 5.2.
(15) Group care facilities

9.2.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.2.4 Regulations

(1) Single Detached Dwelling/Modular Homes

Lot area - minimum	-	464 square metres (4,994.6 sq. ft.) where the lot is served by a lane, otherwise 557 square metres (5,995.69 sq. ft.)
Lot frontage - minimum	-	rectangular lots: 15 metres (49.21 ft.) where the lot is served by a lane otherwise 18 metres, (59.06); non-rectangular lots: 11 metres (36.09 ft.) with a mean width of 15 metres over the first 30 metres (98.43 ft.) measured from the front lot line where there is a lane, otherwise 15 metres with a mean width of 18 metres measured from the front lot line.
Yard, front - minimum	-	7.5 metres (24.61 ft.)
Yard, rear - minimum	-	7.5 metres (24.61 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).
Yard, side - minimum	-	1.2 metres (3.94 ft.), except that for a corner lot, the minimum side yard shall be 3 metres (9.84 ft.) from a flankage street, however, where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 6 metres (19.69 ft.).
Floor area - minimum	-	70 square metres (753.50. ft.)

(2) Semi-detached and Duplex Dwellings

Lot area (per dwelling unit) - minimum	-	278 square metres (2,992.47 sq. ft.) where the lot is served by a lane, otherwise 325 square metres (3,498.39 sq. ft.)
Lot frontage (per dwelling unit) - minimum	-	9 metres (29.53 ft.) where the lot is served by a lane otherwise 10.5 metres, (34.45 ft.)
Yard, front - minimum	-	7.5 metres (24.61 ft.)
Yard, rear - minimum	-	7.5 metres (24.61 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).
Yard, side (per dwelling unit)		

- minimum	-	1.2 metres (3.94 ft.), except that for a corner lot, the minimum side yard shall be 3 metres (9.84 ft.) from a flankage street, however, where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 6 metres (19.69 ft.).
Floor area (per dwelling unit)		
- minimum	-	46 square metres (495.16 sq. ft.).

(3) Multiple Unit Dwellings

Lot area - minimum	-	55 square metres (592.03sq. ft.) plus 70 square metres (753.50 ft.) for each ground floor dwelling unit in excess of 3, except that for townhouses 185 square metres (1,991.39 sq. ft.) for each dwelling unit shall be provided.
Lot frontage - minimum	-	18 metres (59.06), except that for townhouses the lot frontage minimum for each individual unit shall be 6 metres (19.69 ft.)
Yard, front - minimum	-	7.5 metres (24.61 ft.)
Yard, rear - minimum	-	6 metres (19.69 ft.)
Yard, side - minimum	-	1.5 metres (4.92 ft.) or half the average wall height whichever is greater.
Lot coverage - maximum	-	50 percent
Floor area - minimum	-	46 square metres (495.16 sq. ft.) except for one bedroom units, in which case the minimum shall be 28 square metres (301.40 sq. ft.)

(4) Libraries, Places of Worship, Day Care Centres, Religious and Cultural Institutions

Lot area - minimum	-	464 square metres (4,994.6 sq. ft.)
Lot frontage - minimum	-	15 metres (49.21 ft.) where the lot is served by a lane, otherwise 18 metres (59.06)
Yard front - minimum	-	7.5 metres (24.61 ft.) or 25% of the depth of the lot, whichever is greater
Lot rear - minimum	-	7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater
Yard side - minimum	-	3 metres (9.84 ft.) or half the building height, whichever is greater

(5) All Other Uses (except public utilities)

Lot area - minimum	-	no minimum
Lot frontage - minimum	-	no minimum
Lot front - minimum	-	7.5 metres (24.61 ft.)
Lot rear - minimum	-	7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater
Yard side - minimum	-	3 metres (9.84 ft.) or half the building height whichever is greater

9.2.5 Development Standards For Modular Homes

(1) All modular homes shall be place on a permanent foundation comprised of a full or partial basement and/or concrete or preserved wood grade beam/pile structure, such foundation being not less than 600 millimetres above recommended or established grade. The basement wall and grade beam support shall be attached to the perimeter of the building.

(2) Modular homes shall be permanently connected to water and sewer services provided by the municipality and any other public utilities that may be acquired by the owner or occupant serving the dwelling.

9.2.6 Development Standards For Personal Care Homes

Section 5.5 shall apply to personal care homes located in a single detached dwelling.

9.2.7 Signs

Section 6 regulations shall apply in the R2 - Residential District.

9.2.8 Storage

Subsection 4.2.4 requirements shall apply in the R2 - Residential District.

9.3 CS - Community Service District

9.3.1 Permitted Uses

The following are permitted uses in the CS - Community Service District:

(1) Schools, educational institutions
(2) Places of worship, religious institutions
(3) Libraries and cultural institutions
(4) Hospitals, medical clinics
(5) Curling and skating rinks
(6) Community centres
(7) Swimming pools
(8) Nursing homes
(9) Sports fields and parks
(10) Swimming pools
(11) Group care facilities
(12) Public utilities

9.3.2 Discretionary Uses

The following are discretionary uses of forms of development in the CS - Community Service District:

(1) Multiple unit dwellings developed as seniors citizen housing
(2) Law enforcement facilities
(3) Lodges, fraternal organizations, clubs
(4) Day care centres

9.3.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.3.4 Regulations

(1) Libraries, Places of Worship, Day Care Centres, Religious and Cultural Institutions

Lot area - minimum	-	464 square metres (4,994.6 sq. ft.)
Lot frontage - minimum	-	15 metres (49.21 ft.) where the lot is served by a lane, otherwise 18 metres (59.06)
Yard front - minimum	-	7.5 metres (24.61 ft.) or 25% of the depth of the lot, whichever is greater
Lot rear - minimum	-	7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater
Yard side - minimum	-	3 metres (9.84 ft.) or half the building height, whichever is greater

(2) All Other Uses (except public utilities)

Lot area - minimum	-	no minimum
Lot frontage - minimum	-	no minimum
Lot front - minimum	-	7.5 metres (24.61 ft.)
Lot rear - minimum	-	7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater
Yard side - minimum	-	3 metres (9.84 ft.) or half the building height whichever is greater

9.3.5 Signs

Section 6 regulations shall apply in the CS - Community Service District.

9.3.6 Storage

Section 4.2.4 requirements shall apply in the CS - Community Service District.

9.4 C1 - Central Business District

9.4.1 Permitted Uses

The following are permitted uses in the C1 - Central Business District:

(1) Banks, offices, studios
(2) Bakeries with retail sales
(3) Barbers, hairdressers, receiving stations for dry cleaning and laundry establishments, self-service laundries, shoe repair and similar types of personal service establishments
(4) Medical and dental offices and clinics
(5) Printing plants, newspaper offices
(6) Restaurants, confectioneries and other places for the sale and consumption of food and related items

(7) Retail and rental stores
(8) Community centres
(9) Commercial entertainment establishments
(10) Undertaking establishments
(11) Licensed beverage rooms and other places for the sale and consumption of beer, wine and other spirits with or without food.
(12) Hotels, motels
(13) Radio and television stations
(14) Public utilities

9.4.2 Discretionary Uses

The following are discretionary uses in the C1 - Central Business District:

(1) Mini-malls
(2) Service stations
(3) Establishments for the sale, storage and servicing of motor vehicles
(4) Lumber yards
(5) Car washes
(6) Wholesale trade stores and office
(7) Trade workshops, but not including open exterior storage space
(8) Bus terminals
(9) Gas bars
(10) Bed and Breakfast subject to the requirements of Section 5.2.
(11) Lodges, fraternal organizations, clubs
(12) Museums,
(13) Art galleries
(14) Libraries, cultural institutions
(15) Places of worship, religious institutions
(16) Day care centres
(17) Accessory dwelling units attached to stores or commercial establishments subject to the dwelling unit:
  (a) having an entrance separate from that of the store or commercial establishment; and
  (b) providing a fire exit secondary to the required entrance.
(18) Single detached dwellings subject to the following development standards:
  (a) the lot regulations of the R-Residential District specified for single detached dwellings shall apply;
  (b) permits will only be considered for renovation/additions to existing single detached dwellings or for the replacement of an existing single detached dwelling on the lot.

9.4.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.4.4 Regulations

Lot area - minimum
- Service stations - 929 square metres (10,000 sq. ft.)

- Gas bars	- 700 square metres (7,534.98 sq. ft.)
- Mini malls	- 900 square metres (9,687.84 sq. ft.)
- All other uses	- 278 square metres (3,003.22 sq. ft.)
Lot frontage - minimum	
- Service stations	- 30 metres (98.43 ft.)
- Gas bars	- 23 metres (75.46 ft.)
- Mini malls	- 30 metres (98.43 ft.)
- All other uses	- 7.5 metres (24.61 ft.)
Yard front - minimum	
- Service stations	- 7.5 metres (24.61 ft.)
- Gas bars	- 7.5 metres (24.61 ft.)
- Mini malls	- 15 metres (49.21 ft.)
- All other uses	- no requirement
Yard side - minimum	
- Service stations and gas bars	- 3 metres (9.84 ft.)
- Mini malls	- 3 metres (9.84 ft.)
- All other uses	- no minimum, except where the side of a lot in any C1-Central Business District abuts any Residential District without an intervening street or lane, a side yard of at least 1.5 metres (4.92 ft.)shall be provided
Yard rear - minimum	
- Service stations and gas bars	- 10% of the depth of the lot
- Mini malls	- 6 metres (19.69 ft.)
- All other uses	- 1.5 metres (4.92 ft.), except where the rear of a lot in any C1-Commercial District abuts any Residential District without an intervening street or lane, a rear yard of at least 6 metres (19.69 ft.) shall be provided

9.4.5 Signs

Section 6 regulations shall apply in the C1 - Central Business District.

9.5 C2 - Highway Commercial District

9.5.1 Permitted Uses

The following are permitted uses in the C2 - Highway Commercial District:

(1) Hotels
(2) Motels
(3) Service stations
(4) Establishments for the sale, storage and servicing of motor vehicles, trailers, agricultural machinery, equipment and supplies
(5) Car washing establishments
(6) Community centres
(7) Restaurants, confectioneries and other places for the sale and consumption of food and related items
(8) Government offices

(9) Public utilities

9.5.2 Discretionary Uses

The following are discretionary uses in the C2 - Highway Commercial District:

(1) Veterinary clinics
(2) Lumber and building supply establishments
(3) Equipment and tool rental establishments
(4) Bulk oil dealers
(5) Auto body shops, but not including any works related to the operation of an auto wrecking yard
(6) Wholesale trade stores, offices and warehouses
(7) Shops of plumbers, pipe fitters, metal workers and other industrial tradespeople
(8) Manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings.
(9) Commercial entertainment establishments
(10) Bus terminals
(11) Gas bars
(12) Mini malls
(13) Greenhouses, tree and plant nurseries
(14) Laundromats
(15) Tourist information centres
(16) Day care centres
(17) Single detached dwellings subject to the following development standards:
    (a) lot regulations of the R-Residential District specified for single detached dwellings shall apply;
    (b) permits will only be considered for renovation/additions to existing single detached dwellings or for the replacement of an existing single detached dwelling on the lot.

9.5.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.5.4 Regulations

Lot area - minimum
- Hotels, motels, mini malls, service stations, lumber and building supply - 929 square metres (10,000 sq. ft.)
- Gas bars - 700 square metres (7,534.98 sq. ft.)
- All other uses - 464 square metres (4,994.6 sq. ft.)

Lot frontage - minimum
- Hotels, motels, mini malls service stations, lumber and building supply - 30 metres (98.43 ft.)
- Gas bars - 23 metres (75.46 ft.)
- All other uses - 15 metres (49.21 ft.)

Yard front - minimum
- Hotels, motels, mini malls

and service stations, lumber and building supply	-	15 metres (49.21 ft.)
All other uses	-	7.5 metres (24.61 ft.)
Yard side - minimum	-	3 metres (9.84 ft.)
Yard rear - minimum		
Gas bars	-	10% of the depth of the lot
All other uses	-	3 metres (9.84 ft.) with lane; 6 metres (19.69 ft.) without lane

9.5.5 Signs

Section 6 regulations shall apply in the C2 - Highway Commercial District.

9.6 I - Industrial District

9.6.1 Permitted Uses

The following are permitted uses in the I - Industrial District:

(1) Lumber and building supply establishments
(2) Service stations, gas bars
(3) Establishments for the sale, storage and servicing of motor vehicles, trailers, farm machinery and equipment
(4) Auto body shops
(5) Car washing establishments
(6) Shops of plumbers, pipe fitters, metal workers and other industrial tradespeople
(7) Wholesale establishments and warehouses
(8) Railway and ancillary functions
(9) Truck, bus and other transport terminals and yards
(10) Laundry and dry cleaning establishments
(11) Printing plants and reproduction offices
(12) Bakeries
(13) Public utilities
(14) Veterinary clinics
(15) Tree nurseries and horticultural establishments
(16) Custom meat cutting and packaging establishments (no slaughtering on site)

9.6.2 Discretionary Uses

The following are discretionary uses or forms of development in the I - Industrial District:

(1) Concrete manufacturing plants, and gravel yards
(2) Bulk oil, propane gas, fuel dealers, storage and sales
(3) Veterinary hospitals
(4) Auto wrecking yards
(5) Equipment maintenance and storage yards
(6) Abattoirs and stock yards
(7) Tanneries and hide storage establishments
(8) Grain elevators, feed mills, fertilizer and seed cleaning plants
(9) Manufacturing, processing and packing plants
(10) Machine shops, foundry works, boiler works

9.6.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.6.4 Regulations

(1) Lot Requirements

Lot area - minimum		
Service stations, and		
Discretionary Uses	-	929 square metres (10,000 sq. ft.)
All other uses	-	557 square metres (5,995.69 sq. ft.)
Lot frontage - minimum		
Service stations and		
Discretionary Uses	-	30 metres (98.43 ft.)
All other uses	-	18 metres (59.06)
Yard front - minimum		
Service stations and		
Discretionary Uses	-	7.5 metres (24.61 ft.)
All other uses	-	4.5 metres (15 ft.)
Yard side - minimum	-	3 metres (9.84 ft.) on each side
Yard rear - minimum	-	10% of the depth of the lot

9.6.5 Signs

Section 6 regulations shall apply in the I - Industrial District.

9.7 UH - Urban Holding District

9.7.1 Permitted Uses

The following are permitted uses in the UH - Urban Holding District:

(1) Agricultural crop farming and cultivation of land
(2) Public Utilities
(3) Cemeteries

9.7.2 Discretionary Uses

The following are discretionary uses in the UH - Urban Holding District:

(1) Single detached dwellings
(2) Recreational uses comprised of sports fields, parks, golf courses, and tourist campgrounds
(3) Agricultural grazing of livestock but excluding intensive operations, such as feed lots, poultry, hog or fur farms

(4) Green houses, market gardens, horticultural supply, tree and plant nurseries
(5) Apiaries
(6) Veterinary clinics
(7) Airports
(8) Museums

9.7.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.7.4 Regulations

Development shall conform to the following requirements:

(1) Lot Area Minimum (except single detached dwellings)
  (a) Agricultural uses - 16 hectares (39.54 a.)
  (b) Public utilities and other permitted uses - no minimum
  (c) Discretionary uses - 1 hectare (2.47 a.)

(2) Single Detached Dwellings
  (a) Lot area - minimum - 2 hectares (4.94 a.)
  (b) Lot frontage - minimum - 30 metres (98.43)
  (c) Yard front - minimum - 45 metres (147.64 ft.)
  (d) Yard side - minimum - 1.5 metres (4.92 ft.)
  (e) Yard rear - minimum - 7.5 metres (24.61 ft.)
  (f) Floor area - minimum - 900 square metres (9,687.84 sq. ft.)
  (g) Lots for single detached dwellings shall front on a developed all weather public street or road.
  (h) Single detached dwellings shall not be constructed in locations that would prejudice future subdivision or urban servicing requirements.

Note: Other districts may be added as necessary.

10. EFFECTIVE DATE OF THE BYLAW

Note: Repeal previous zoning bylaw if existing.

This bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs and Housing.

INTRODUCED AND READ a first time this ____ day of _____, 20__.

READ A SECOND TIME this ____ day of _____, 20__.

READ A THIRD TIME and passed this ____ day of _____, 20__.

_____
Mayor

SEAL

_____
Town Administrator

CERTIFIED a true copy of Bylaw No. ____
adopted by Resolution of Council on the
____ day of _____, 20__.

_____
Town Administrator

FORM A
Bylaw No. _____
Application No. _____

TOWN OF "XX"
APPLICATION FOR DEVELOPMENT PERMIT

1. APPLICANT:

   a) Name _____

   b) Address_____Postal Code _____

   c) Telephone Number ___

2. REGISTERED OWNER: as above ( ) OR

   a) Name _____

   b) Address_____Postal Code _____

   c) Telephone Number ___

3. PROPERTY - LEGAL DESCRIPTION:

   Lots(s) ___Block(s)__Registered Plan No._____

   Certificate of Title No. _____Date _____

4. LOT SIZE:

   Dimensions _____ (m) Area _____ (m^2, ha)

5. EXISTING LAND USE: _____

6. PROPOSED LAND USE / DESCRIPTION OF PROPOSED DEVELOPMENT:

7. a) PROPOSED DATE OF COMMENCEMENT: _____
   b) PROPOSED DATE OF COMPLETION: _____

8. OTHER INFORMATION:

   _____

   _____

   _____

_____

9. FOR NEW CONSTRUCTION DRAW A SITE PLAN ON A SEPARATE SHEET SHOWING WHERE APPLICABLE:

a) Dimensions of the lot.
b) Location and size of all existing and proposed buildings and structures.
c) Utility lines, easements, topographic features.
d) Proposed site drainage and finished lot grades.
e) Location of septic disposal systems and water supply.
f) Landscaping (loading and parking areas, entrance and exit points to sites, fences, screening, trees, hedges).

10. MOBILE AND MODULAR HOMES - For mobile homes provide CSA - Z240 approval number; for modular homes CSA - A277 approval number.

11. DECLARATION OF APPLICANT:

I, _____ of the _____ of _____ in the Province of Saskatchewan do solemnly declare that the above statements contained within the application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act."

_____ _____

Date Signature

FOR MUNICIPAL OFFICE USE ONLY:

1. Present Zoning: _____

2. Proposed Use(s): Principal _____

Accessory _____

3. Proposed Yards: Front ___ Rear ___ Side ___ Side ___

4. Application Status: Meets Bylaw Requirements ___ Does not Meet Bylaw Requirements ___

Other Regulations/Comments: _____

_____ _____

Date Development Officer

FORM B
Bylaw No. _____
Application No. _____

TOWN OF "XX"
NOTICE OF DECISION FOR A DEVELOPMENT PERMIT

To: _____ _____
(Applicant) (Address)

THIS IS TO ADVISE YOU THAT YOUR APPLICATION FOR A;

☐ PERMITTED USE OR FORM OF DEVELOPMENT, or

☐ DISCRETIONARY USE OR FORM OF DEVELOPMENT:

HAS BEEN:

☐ **APPROVED**.

☐ **APPROVED SUBJECT TO CONDITIONS or DEVELOPMENT STANDARDS**, as listed in the attached "Schedule A".

☐ **REFUSED** for the following reason: _____

If your application has been **approved** with or without conditions, this form is considered to be the **Development Permit** granted pursuant to the Zoning Bylaw.

Right of Appeal

Please be advised that, under Sections 74 (4) and 96 of *The Planning and Development Act, 1983*:

☐ you **may appeal the refusal** of your application for a permitted use or form of development [Section 96 (1)];

☐ you **may NOT appeal the refusal** of your application for a use or form of development that is not permitted within the zoning district of the application [Section 96 (1.1)];

☐ you **may appeal** those standards that you consider excessive in the approval of the discretionary use or form of development subject to standards [Section 74 (4)];

☐ you **may NOT appeal the refusal** of your application for a discretionary use or form of development [Section 96 (4)];

to the **Development Appeals Board of the Town of "XX"**. In addition you may appeal if you feel that the Development Officer has misapplied the Zoning Bylaw in the issuing of this permit [Section 96 (1)]. Your appeal must be made in writing within 30 days of the date of this notice. Send your request to:

Secretary, Development Appeals Board
Town of "XX"
Box ____, _____, Saskatchewan, _____.

_____ _____
Date Development Officer

Note: A building permit is also required for building construction.